

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-2470**

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BETTY M. RUSMISELL; ANN RUSMISELL,

Plaintiffs - Appellants,

versus

GERALD LOCKE SMITH; JOHN BUSCH, law firm of  
Busch & Talbott, LC; MIKE ROSS, Senator; JAMES  
ROSS; M. HUGH HEFNER; JIMMIE L. GREEN; R. MARK  
HARPER; WILLIAM E. MCKNIGHT; THOMAS KEADLE;  
JAMES D. LAROSA; ANKER ENERGY CORPORATION;  
SPRUCE FORKS COAL; JOHN T. HASKINS; RAYMOND F.  
PHILLIPS; BASS ENERGY, INCORPORATED; JOHN M.  
BOWERS; EUGENE C. SUDER; AUBREY A. WILSON;  
NORMAND HALE; VIRGIL MILLER; JAMES DANIEL  
MOODY; JEFFREY ST. CLAIR; TROY BRADY; GREG  
ANDREWS; LARRY MARSH; UNKNOWN FEMALE EMPLOYEE  
OF SHERIFF; CHARLIE MCCOURT; JUANITA ADAMS;  
JAMES WOODY; DALE WOODY; STEPHEN A. HOLMES;  
LAURA RUSMISELL; DEAN EVERETT; MARGARETE  
GROSE,

Defendants - Appellees,

and

MAGISTRATE COURT OF UPSHUR COUNTY; CIRCUIT  
COURT OF UPSHUR COUNTY; SUPREME COURT OF  
APPEALS OF WEST VIRGINIA,

Defendants.

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Appeal from the United States District Court for the Northern District of West Virginia, at Elkins. Robert Earl Maxwell, Senior District Judge. (CA-98-23-2)

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Submitted: April 30, 2002

Decided: June 14, 2002

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Before WILKINS, LUTTIG, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Betty M. Rusmisell, Ann Rusmisell, Appellants Pro Se. John Everett Busch, BUSCH & TALBOTT, Elkins, West Virginia; William Tracey Weber, Jr., WEBER & WEBER, Weston, West Virginia; Daniel C. Cooper, James Douglas Gray, Michael S. Garrison, Michael Kozakewich, Jr., STEPTOE & JOHNSON, Clarksburg, West Virginia; Harold Stanford Yost, Bridgeport, West Virginia; James A. Walls, Morgantown, West Virginia; John M. Bowers, French Creek, West Virginia; Ellen R. Archibald, KESNER, KESNER & BRAMBLE, Charleston, West Virginia; Aubrey A. Wilson, Buckhannon, West Virginia; Normand Hale, Buckhannon, West Virginia; Norman Thomas Farley, WEST & JONES, Clarksburg, West Virginia; Terry D. Reed, HYMES & COONTS, Buckhannon, West Virginia; Laura Rusmisell, Buckhannon, West Virginia; Dean Everett, Buckhannon, West Virginia; T. Keith Gould, WILSON & BAILEY, Weston, West Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Betty M. Rusmisell and Ann Rusmisell appeal the district court's orders awarding attorney's fees and costs in accordance with the methodology of Johnson v. Georgia Highway Express, 488 F.2d 714 (5th Cir. 1974), and denying their motion for reconsideration. We have reviewed the record and the district court's orders and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Rusmisell v. Smith, No. CA-98-23-2 (N.D.W. Va. Nov. 5, and Dec. 3, 2001). We deny the motion to strike informal briefs and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED